

# MEMO ENDORSED

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May 8, 2020

Honorable Edgardo Ramos  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Consent Letter Motion

RE: United States v. Almaleh and Iotova, 17 Cr. 25 (ER)

Your Honor:

I am writing to request (with the consent of the government to the specific terms outlined below) that the Court order that the passports of both defendants, which are now in the possession of the New York Office of Pre-Trial Services, to be released to me (not directly to the defendants) so that I can accompany them to various offices where they are applying for public benefits, such as subsidized housing, SNAP (food stamp) benefits, Medicaid, a New York State non-driver ID card for Mr. Almaleh, and Social Security Disability Benefits (to be reinstated) for Mr. Almaleh. (I have been deputized by co-counsel for Mr. Almaleh to provide assistance to him as well as my client, Ms. Iotova).

Since the defendants were both released on March 27, 2020 it has been extremely difficult obtaining housing, food and medical benefits, etc., for them, mostly because of the lack of government identification. For many of the online applications we have been able to use photocopies of their passport pages, but to get over a seemingly insurmountable hurdle (where the public authorities believe that they have assets in a bank account which was closed long ago, but where the bank will not verify that without being presented with identification), we need to be able to go to the aforementioned bank and several other offices with the actual identification documents. Hopefully the result of one of these efforts will be to get

a New York State non-driver identification for Mr. Almaleh, and to update the current New York State driver's licence for Ms. Iotova, and the passports can be returned to the safe-keeping of the Pre-Trial Services Officer.

I will note here that since the clients were released on March 27, 2020, we attorneys have been sharing the cost of housing them in a low-priced hotel in mid-Manhattan because they were turned away from the New York City shelter system because of lack of identification and lack of proof that they husband and wife. We are actually relieved that they are not in the shelter system where they would be far more exposed to Covid-19, be separated from each other (Mr. Almaleh speaks very little English and is disabled), and probably could not stay in the shelter during the daytime, and thus be wandering the streets. With the generous help of a social worker from the Federal Defender Office, Rachelle Veasley, we have filed the various applications and appeals of denials to obtain benefits for them with partial success. But some of the benefits are dependent on a grant of other of the benefits, some of which have been denied for mysterious reasons (a claim of "unearned income," for example), and thus the process needs a boost by my going with the clients to the offices with the government-issued identifications.

I have communicated with AUSA Robert Sobelman who has no objection provided that we have a pre-determined date by which the passports will be returned to Pre-Trial Services and that the defendants themselves are not given the passports but rather that I will hold onto them and be with them when they need to be presented. I would propose May 29, 2020 as a date by which the passports will be returned to Pre-Trial Services, and that if for any reason that length of time is not sufficient that I will make a new application stating the specific reasons we need them for more time. I expect, in fact, that I will be able to return the passports within a few days.

I have also communicated with Pre-Trial Services Officer Erin Cunningham who is supervising the clients, who said that I should make this application to the Court.

Thus, my request is to permit Pre-Trial Services to release the U.S. passports of the defendants, Antoaneta Iotova and Issak Almaleh, to me, as the attorney for them, to maintain in my custody and use for presentation by me when needed to the officials of various public agencies and banks, which I will do

personally without giving the passports to the defendants, and that I will return them to the Pre-Trial Services Office on or before May 29, 2020.

Thank you.

Sincerely,

/s/ Thomas H. Nooter

Thomas H. Nooter  
Attorney for Defendant Iotova

cc: AUSA Robert Sobelman, Esq., by ECF

The application is X granted  
\_\_\_\_\_ denied



Edgardo Ramos, U.S.D.J

Dated: May. 08, 2020

New York, New York